

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon. Joseph E. Irenas
	:	
v.	:	
	:	
JOSEPH SIGELMAN	:	Crim. No. 14-263 (JEI)

GOVERNMENT'S VOIR DIRE REQUESTS

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GOVERNMENT'S VOIR DIRE REQUESTS

The United States of America submits the following proposed voir dire questions. The government requests that the Court ask the following questions to the jury panel in addition to the Court's standard jury questions as reflected in its jury questionnaire:

1. FOREIGN CORRUPT PRACTICES ACT

- a. The defendant in this case is charged with, among other things, committing fraud, money laundering, and violating a law called the Foreign Corrupt Practices Act, or FCPA. I will give you further instruction on this law at a later time, but generally, the FCPA prohibits certain individuals, including United States citizens, from giving or offering to give bribes to foreign government officials in the hopes that the foreign official will confer business advantages to the person giving or offering to give the bribe.
- b. Does anyone think the laws of the United States should not be concerned with bribery conducted by Americans in foreign countries?
- c. Does anyone think it is wrong or unfair for a person to be charged with bribery if refusing to pay the bribe would hurt the person's business?
- d. Does anyone think it is wrong or unfair for a person to be charged with bribery if bribery is common in the foreign country?

2. ASSOCIATIONS WITH COLOMBIA

- a. In this case, the defendant is alleged to have given or offered to give bribes to a person who the government alleges was a government official in Colombia, namely a person who worked at Ecopetrol, the state-owned and state-controlled petroleum company in Colombia.
- b. Have you, any member of your family, or any close friends had any experiences with the Colombian government, Colombian state-owned companies, Colombian officials, or Ecopetrol that might affect your ability to render a fair and impartial verdict in this case?
- c. The defendant in this case is charged with crimes relating to bribery, fraud, and money laundering in connection with doing business in

Colombia. Have you, any member of your family, or any close friends done business, or attempted to do business, with any people or companies in Colombia?

- d. Have you, any member of your family, or any close friends traveled to Colombia?
- e. Do you have strong feelings, positive or negative, about the Colombian government, the Colombian community, or people of Colombian origin?

3. OIL AND GAS BUSINESS

- a. This case involves oil and gas businesses in Colombia and the United States. Have you or your spouse ever worked in the oil and gas industry?

4. BIAS AND GENERAL BACKGROUND QUESTIONS

- a. Does anyone have a religious or moral conviction which would make it difficult for you to sit in judgment of another human being?
- b. The law requires that you base your verdict on the facts as you find them to be from the evidence. The law does not permit you to consider any emotion such as sympathy, prejudice, vengeance, fear, or hostility. Is there anybody here who feels that he or she cannot put these emotions out of his or her mind when deliberating on a verdict?
- c. It is anticipated that a witness in this case will be a law enforcement officer. Do you have an opinion about law enforcement officers that would prevent you from being fair and impartial?
- d. During the course of the investigation of this case, the government executed court-approved search warrants for certain individuals' personal email messages. Do you have an opinion about court-approved search warrants that would prevent you from being fair and impartial?
- e. During the course of the investigation of this case, the government also had a witness record a conversation with the defendant without the defendant knowing that he was being recorded. Do you have an opinion about the government recording a person without that person's knowing he was being recorded that would prevent you from being fair and impartial?

- f. This case has at times received media attention in the United States and in Colombia. Have you read or seen anything about it?
- g. The government might call witnesses who have admitted to committing crimes and who are testifying pursuant to written agreements with the government. These so-called “cooperating” witnesses might be testifying in the hopes that they will receive lesser sentences for their crimes.
- h. Do you believe that the government should not be allowed to call such witnesses?
- i. Would you be unwilling to consider the testimony of such cooperating witnesses solely because there is a possibility that they might receive lesser sentences for their crimes?

Respectfully submitted,

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